

DN FBT CV 15 6048103-S

DONNA L. SOTO, ADMINISTRATRIX)	SUPERIOR COURT
OF THE ESTATE OF VICTORIA L.)	
SOTO, DECEASED, ET AL.)	J.D. OF FAIRFIELD/BRIDGEPORT
)	@ BRIDGEPORT
v.)	
)	
BUSHMASTER FIREARMS)	
INTERNATIONAL, LLC, ET AL.)	APRIL 18, 2016

**MOTION FOR EXTENSION OF TIME TO OBJECT AND RESPOND TO
PLAINTIFFS' REQUESTS FOR PRODUCTION**

The Defendants in the above-referenced matter, REMINGTON OUTDOOR COMPANY, INC. and REMINGTON ARMS COMPANY, LLC ("REMINGTON"), pursuant to Practice Book Section 13-10(a)(3), respectfully move the Court for an extension of time of 32 days, from April 14, 2016 to May 16, 2016, within which to serve objections to the Plaintiffs' First Requests for Production directed to REMINGTON dated November 13, 2015, and an extension of time of 60 days, from April 14, 2016 to June 13, 2016, within which to respond to Plaintiffs' First Requests for Production dated November 13, 2015. In support of this Request, REMINGTON represents as follows:

1. This is the first Request for Extension of Time with respect to responding or objecting to the Plaintiffs' First Requests for Production directed to REMINGTON.
2. Pursuant to a Status Conference held in this matter on November 17, 2015, the parties discussed all Defendants' intention to file a Motion to Dismiss directed to subject matter jurisdiction on or before December 11, 2015. Once a Motion to Dismiss

directed to subject matter jurisdiction is filed, all discovery should be stayed until that Motion to Dismiss is decided.

3. The Plaintiffs' counsel indicated at the status conference that they may not agree with the Defendants' position that discovery should be stayed pending a ruling on the Motion to Dismiss that Defendants intended to file, and the parties agreed that the issue of a possible stay would be further discussed at the next Status Conference scheduled for December 17, 2015.
4. On or about December 9, 2015, subsequent to the November 17, 2015 status conference, but prior to the filing of the Defendant's Motion to Dismiss, counsel for REMINGTON, James Vogts, and Counsel for the Plaintiffs, Alinor Sterling, had communications wherein the parties agreed that REMINGTON would not need to provide responses and objections to the Requests for Production within 30 days and would not be waiving any objections it may have to the Plaintiffs' First Request for Production. Plaintiffs reserved the right to seek to have REMINGTON respond to discovery within a reasonable time. A copy of the email communications between Attorney Vogts and Attorney Sterling are attached hereto as Exhibit A.
5. On December 11, 2015, Defendants all filed Motions to Dismiss for lack of subject matter jurisdiction, thereby staying any further action on the matter until the Motions were decided. On April 14, 2016, the Court issued a decision denying Motions to Dismiss.

6. Now that the Motions to Dismiss have been denied, REMINGTON requires an extension of time of 32 days from the Court's ruling, to May 16, 2016, to serve objections to the Requests for Production, and an extension of 60 days, to June 13, 2016, to respond to the Requests for Production to which objections have not been asserted or sustained.
7. Counsel for REMINGTON, James Vogts, has inquired of Plaintiffs' counsel, Alinor Sterling, whether Plaintiffs object to this motion, but as of the filing of this motion Defendants have been unable to ascertain Plaintiffs' position.

WHEREFORE, Defendants, REMINGTON OUTDOOR COMPANY, INC. and REMINGTON ARMS COMPANY, LLC, request an extension of time until May 16, 2016 within which to object, and an extension of time until June 13, 2016, within which to respond to the Plaintiffs' First Requests for Production dated November 13, 2015.

THE DEFENDANTS,

REMINGTON OUTDOOR COMPANY, INC. and
REMINGTON ARMS COMPANY, LLC

BY: /s/ Scott M. Harrington/#307196
Scott M. Harrington
DISERIO MARTIN O'CONNOR &
CASTIGLIONI LLP #102036
One Atlantic Street
Stamford, CT 06901
(203) 358-0800
sharrington@dmoc.com

James B. Vogts, PHV
Andrew A. Lothson, PHV
SWANSON MARTIN & BELL, LLC
330 North Wabash #3300
Chicago, IL 60611
jvogts@smbtrials.com
alothson@smbtrials.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed and e-mailed on April 18, 2016 to the following counsel of record:

Koskoff Koskoff & Bieder, PC
350 Fairfield Avenue
Bridgeport, CT 06604
jkoskoff@koskoff.com

Renzulli Law Firm LLC
81 Main Street, Suite 508
White Plains, NY 10601
crenzulli@renzullilaw.com
sallan@renzullilaw.com

Berry Law LLC
107 Old Windsor Road, 2nd Floor
Bloomfield, CT 06002
firm@berrylawllc.com

/s/ Scott M. Harrington/#307196
Scott M. Harrington

EXHIBIT A

From: Alinor C. Sterling <asterling@KOSKOFF.com>
Sent: Thursday, December 10, 2015 9:43 AM
To: James Vogts
Subject: RE: Soto v. Bushmaster

Jim,

Yes, that's fine.

See you next week,

Alinor

From: James Vogts [<mailto:jvogts@smbtrials.com>]
Sent: Wednesday, December 09, 2015 5:32 PM
To: Alinor C. Sterling <asterling@KOSKOFF.com>
Cc: 'crenzulli@renzullilaw.com' <crenzulli@renzullilaw.com>; Scott Allan (sallan@renzullilaw.com) <sallan@renzullilaw.com>; firm@berrylawllc.com; Scott Harrington <SHarrington@dmoc.com>; Jon Whitcomb <JWhitcomb@dmoc.com>
Subject: Soto v. Bushmaster

Alinor, this confirms our telephone conversation this morning regarding the discovery served by you on the defendants.

While expressly preserving the right to have defendants respond to the pending discovery requests within a reasonable time, you have agreed that the defendants need not respond to the discovery within the 30 day time period set by the rules, and by not responding defendants have not waived any objections they may have to your discovery requests. We will further discuss the status of discovery, at the upcoming December 17 status conference in light of the arguments made by the defendants in their motions to dismiss and the plaintiffs' position that discovery should proceed.

Please confirm that this accurately states our agreement.

Thank you,

Jim

James B. Vogts
Swanson, Martin & Bell LLP
330 N. Wabash Ave.
Suite 3300
Chicago, Illinois 60611
(312) 222-8517
jvogts@smbtrials.com<<mailto:csheean@smbtrials.com>>

KK&B
Koskoff, Koskoff & Bieder, PC
350 Fairfield Ave.
Bridgeport, CT 06604
203.336.4421
www.koskoff.com<<http://www.koskoff.com>>

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KK&B
Koskoff, Koskoff & Bieder, PC
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Bridgeport, CT 06604
203.336.4421
www.koskoff.com<<http://www.koskoff.com>>

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